1 Don Springmeyer, Esq. Nev. Bar No. 1021 2 dspringmeyer@wrslawyers.com Christopher W. Mixson, Esq. 3 Nev. Bar No. 10685 cmixson@wrslawyers.com 4 WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP 5 3556 E. Russell Rd. Las Vegas, NV 89120 6 (702) 341-5200 7 Attorneys for Petitioner Pyramid Lake Paiute Tribe 8 9 IN THE UNITED STATES DISTRICT COURT 10 FOR THE DISTRICT OF NEVADA 11 12 UNITED STATES OF AMERICA, **Equity A-3-LDG** Plaintiff, 13 14 THE PYRAMID LAKE PAIUTE TRIBE OF INDIANS, WITHDRAWAL AND DISMISSAL OF 15 **CLAIM WITH PREJUDICE; ORDER** Petitioner, (Simoncini, Marc E. & Julia/Pyramid Lake 16 Paiute Tribe) 17 VS. 18 ORR WATER DITCH CO., et. al., 19 Defendants. 20 21 22 Pursuant to Fed.R.Civ.P. 41, Petitioner Pyramid Lake Paiute Tribe, successor in 23 interest to Respondents, MARC E. & JULIA SIMONCINI, hereby withdraws and dismisses 24 with prejudice the following claim asserted in the Tribe's Petition to Declare that Certain 25 Claimed Water Rights within the Truckee Division of the Newlands Reclamation Project Do 26 Not Exist: 27 28 PLPT Ref. # Township Range Sec QQ Sec Acres TCID No. Name(s) 2379 371 Simoncini, Marc E. & Julia 19 27 7 11 10.0

Therefore, the whole of PLPT Reference Number 2379 is hereby withdrawn and dismissed with prejudice. No other claims are dismissed and the Tribe expressly reserves all its rights to prosecute any and all other claims in the Petition.

**ORDER** 

## WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP

/s/ Don Springmeyer
Don Springmeyer, Esq.
Christopher W. Mixson, Esq.
Attorneys for Petitioner Pyramid Lake Paiute Tribe

It is so ordered.

Dated: August 24, 2012

Dated: Dated:

UNITED STATES DISTRICT JUDGE